

SEVENTY-THIRD LEGISLATIVE DAY

The House met at 10:00 a.m. and was called to order by Mr. Speaker McWherter.

The proceeding were opened with prayer by Representative Don Dills of Dyer County.

Representative Dills led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present . . . . . 85

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Duer, Ellis, Elsea, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Tanner, Turner (Hamilton), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--85.

The Speaker announced that Representative Hassell was excused because of illness in the family.

The Speaker announced that Representative Stafford was excused because of illness.

The Speaker announced that Representative Drew was excused because of business.

The Speaker announced that Representative Starnes was excused because of legislative business.

**ENGROSSED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1605 and 2018; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

**REPORT OF CHIEF ENGROSSING CLERK**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 133, 148, 171, 377, 905, 1238, 1388, 1404, 1532, 1584, 1621, 1633, 1700, 1806, 1809, 1811, 1828, 1830, 1836, 1838, 1894, 1940, 1962, 1974, 2039, 2184, 2246, 2267 and 2269; and House Joint Resolutions Nos. 263, 272, 438, 439, 440, 441, 442, 445, 446, 447, 448, 449, 450, 451, 452, 455, 456, 457, 458, 459, 461, 462, 463, 464, 468, 470 and 474; for his action.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bill No.:

1821--To make certain provisions, regulatory boards; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, Senate Bill No.:

561--To amend state senatorial districts.

The Senate lifted the tabling motion, reconsidered action in passing the bill, adopted Amendment No. 4, then repassed the bill on third and final consideration, as amended.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed by the Senate to return S. B. No. 1362, as requested.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bill No.:

2250--To repeal Chapter 712, Private Acts 1935; passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bills Nos. 28, 861, 1330, 1380, 1403, 1460, 1757, 1777, 1801, 1818, 1874, 1972, 2004, 2008, 2011, 2044, 2049 and 2212; also, Senate Joint Resolutions Nos. 145, 147, 193, 202, 203, 206, 207, 208, 212, 213, 214, 217 and 220; all for the signature of the Speaker.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bills Nos. 1387, 1585, 1590, 1791, 1794, 1847, 1873, 1893, 2045 and 2095; all for the signature of the Speaker.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**SIGNED**

The Speaker announced that he had signed the following: Senate Bills Nos. 28, 861, 1330, 1380, 1387, 1403, 1460, 1585, 1590, 1757, 1777, 1791, 1794, 1801, 1818, 1847, 1873, 1874, 1893, 1972, 2004, 2008, 2011, 2044, 2045, 2049, 2095 and 2212; and Senate Joint Resolutions Nos. 145, 147, 193, 202, 203, 206, 207, 208, 212, 213, 214, 217 and 220.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bills

**Nos.:**

1785--To make certain provisions, internal audits;

2069--To make certain provisions, utility district commissioners; both substituted for Senate Bills on same subject and passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Joint Resolutions Nos.:

267--Relative to naming National Guard Armory, Jamestown;

269--Relative to joint convention, State of the Judiciary address;

471--Relative to memory, C. Wilson Viar;

473--Relative to commending Bishop James Niedergeses;

476--Relative to memory, Pinckney Keel;

478--Relative to congratulating Thurman Francis Junior High School boys' basketball team;

479--Relative to congratulating Thurman Francis Junior High School girls' basketball team;

481--Relative to commending Jack Delozier;

484--Relative to congratulating Miss Mary Ann Bales;

486--Relative to commending James I. Bell;

487--Relative to congratulating Frank Hughes High School boys' basketball team;

488--Relative to commending Joe Wade Pulley;

489--Relative to commending Everett L. Smith; all concurred in by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate

**Bills Nos:**

2230--To regulate sale of timber, timber management practice;

2248--To amend Kenton Special School District; both passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate  
**Bills Nos.:**

1349--To regulate immunization, school children;

1437--To regulate commission on aging; both passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate  
**Bills Nos.:**

1646--To issue certain bonds, development of certain zones;

1891--To amend County Purchasing Law;

2128--To regulate issuance, refunding bonds, certain counties;

2204--To regulate removal, vegetation on private property, certain counties;

2236--To allow constables serve certain documents, certain counties; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate  
**Joint Resolutions Nos.:**

219--Relative to confirming appointment, Cathy Kemp;

223--Relative to commending Paul Anthony Pirani;

224--Relative to proclaiming "Knife Week";

225--Relative to memory, John Alan Maxwell; all adopted for concurrence.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bill No.:

1843--To regulate payments to health care providers; substituted for Senate Bill on same subject, amended, and passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bills Nos.:

1739--To amend Charter, Bristol;

1837--To make certain provisions, unemployment compensation;

2025--To amend Health Planning and Resources Development Act;

2272--To authorize study, Jackson Utility Division;

2276--To amend Technology Corridor Development Authority Act;

2277--To authorize amusement tax, Knox County;

2278--To make provisions, Probate and Family Court, Cumberland County;

2279--To provide clerk, juvenile court, Tipton County;

2280--To amend Charter, Crossville; all substituted for Senate Bills on same subject and passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

Mr. Tanner moved that the rules be suspended for the immediate consideration of House Bill No. 2283, which motion prevailed.

House Bill No. 2283--To make certain provisions, Kenton Special School District.

On motion, House Bill No. 2283 was made to conform with Senate Bill No. 2248.

On motion, Senate Bill No. 2248, on same subject, was substituted for House Bill No. 2283.

Mr. Tanner moved that Senate Bill No. 2248 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	81
Noes . . . . .	0
Present and not voting . . . . .	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, DeBerry, DePriest, Dixon, Ellis, Elsea, Ford, Frensley, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kernell, King (Shelby), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--81.

Representative present and not voting was: Davis (Gibson)--1.

A motion to reconsider was tabled.

Mr. Rhinehart moved that the rules be suspended for the purpose of introducing House Resolution No. 135 out of order, which motion prevailed.

House Resolution No. 135--Relative to the "Worrick Robinson Memorial Phone Booth"--By Rhinehart.

On motion, House Resolution No. 135 was withdrawn.

#### **MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No.:

2024--To regulate production, oil and gas; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

#### **CALENDAR**

Mr. Covington moved that House Bill No. 657 be withdrawn from the House, which motion prevailed.

Mr. Jones moved that House Bill No. 1372 be placed on the Calendar for Wednesday, May 16, 1984, which motion prevailed.

Mr. Murphy moved that House Bill No. 1978 be placed on the Calendar for Monday, May 14, 1984, which motion prevailed.

Mr. Williams moved that Senate Bill No. 1400 be placed on the Calendar for Wednesday, May 16, 1984, which motion prevailed.

House Bill No. 1667--To regulate sale of alcoholic beverages.

On motion, House Bill No. 1667 was made to conform with Senate Bill No. 1827.

On motion, Senate Bill No. 1827, on same subject, was substituted for House Bill No. 1667.

Mr. Owen moved that Senate Bill No. 1827 be passed on third and final consideration.

Mr. Owen moved to amend as follows:

**AMENDMENT NO. 1**

Amend Senate Bill No. 1827 by adding the following section before the effective date section and by renumbering the effective date section accordingly:

SECTION \_\_\_\_\_. Tennessee Code Annotated, Section 57-4-102(d)(1)(B), is amended by adding the following language at the end of the subpart:

A convention center shall not include a building located within one thousand (1,000) yards of both a student museum and a zoological park; provided, however, any restaurant, located within a zoological park and which meets the requirements of Tennessee Code Annotated, Section 57-4-102(h), shall be eligible for licensure under this chapter as long as the requirements of this chapter are otherwise met.

On motion, Amendment No. 1 was withdrawn.

Mr. Miller moved to amend as follows:

**AMENDMENT NO. 2**

Amend Senate Bill No. 1827 by adding the following section before the effective date section and by renumbering the effective date section accordingly:

SECTION \_\_\_\_\_. Tennessee Code Annotated, Section 57-4-102(d)(1)(B), is amended by adding the following language at the end of the subpart:

A convention center shall not include a building located within one thousand (1,000) yards of both a student museum and a zoological park; provided, however, any restaurant, located within a former world's fair site or a zoological park and which meets the requirements of Tennessee Code Annotated, Section 57-4-102(h), shall be eligible for licensure under this chapter as long as the requirements of this chapter are otherwise met.

On motion, the amendment was adopted.

Mr. Owen moved to amend as follows:

**AMENDMENT NO. 3**

Amend Senate Bill No. 1827 by deleting from the amendatory language of Section 1 the words and figures "one hundred seventy-five thousand (175,000)" and by substituting instead the words and figures "one hundred fifty thousand (150,000)".

AND FURTHER AMEND by deleting from the amendatory language of Section 1 the words and figures "three hundred thousand (300,000)" and by substituting instead the words and figures "two hundred thousand (200,000)".

AND FURTHER AMEND by adding the following section before the effective date section and by renumbering the effective date section accordingly:

SECTION \_\_\_\_ . Tennessee Code Annotated, Section 57-4-102(d) (1)(A), is amended by inserting between the words "and" and "operated" the words "leased or".

On motion, the amendment was adopted.

Mr. Owen moved to amend as follows:

**AMENDMENT NO. 4**

Amend Senate Bill No. 1827 by adding the following section before the effective date section and by renumbering the effective date section:

SECTION \_\_\_\_ . Tennessee Code Annotated, Section 57-4-102(d) (1)(B), is amended by adding the following language at the end of the subpart:

A convention center shall also not include a building which is more than twenty (20) years old and is located in any county having a population not less than 287,700 to 287,800 according to the 1980 federal census of population or any subsequent such census.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1827, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	54
Noes . . . . .	27
Present and not voting . . . . .	2

Representatives voting aye were: Anderson, Bewley, Bivens, Bragg, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Davis (Gibson), DeBerry, Disspayne, Dixon, Duer, Ellis, Frensley, Gaia, Gill, Hudson, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), Kisber, Love, McNally, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Phillips, Pickering, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sir, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams and Yelton--54.

Representatives voting no were: Atchley, Bell, Buck, Byrd, Copeland, Crain, Davis (Pickett), Davidson, Dills, Ford, Gafford, Harrill, Henry, Hillis, Hurley, McAfee, McKinney, Moody, Nance, Robertson, Shirley, Stallings, Turner (Hamilton), Turner (Shelby), Wolfe, Wood and Work--27.

Representatives present and not voting were: DePriest and Miller--2.

A motion to reconsider was tabled.

**REMARKS BY MR. McAFEE**

Mr. Speaker and members of the General Assembly:

Reference HB 1667 and Senate 1827

During the eight (8) years that I have served as a member of the Tennessee General Assembly, my posture has always been to oppose any legislation that furthered or enhanced the sale of alcoholic beverages. There is no reason to change my position at this time. In a time when we are attempting to raise the legal drinking age from 19 to 21, and following passage of one of the toughest drunk driving laws in this country, we are being asked to approve legislation to allow liquor by the drink at public facilities in some areas of our state.

We are told that this is necessary in order to attract large conventions to these facilities. With all our scenic attractions that million of visitors find interesting enough to make tourist business one of the largest in the state, it seems very unnecessary to consider this legislation as being needed to attract visitors to Tennessee. If, in fact, this is true, then, it is my opinion that the state of art in Tennessee, entertainment or otherwise, has deteriorated to a serious low.

Therefore Mr. Speaker, I will oppose HB 1667 and Senate Bill 1827 as I have done similar type legislation in the past and will continue to do so in the future.

**Representative Bill McAfee**  
27th Legislative District

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

**FURTHER CONSIDERATION OF SENATE BILL NO. 2171**

Senate Bill No. 2171--To regulate issuance, special license plates.

Mr. Gafford moved that Senate Bill No. 2171 be passed on third and final consideration.

Mr. Rhinehart moved the previous question, which motion failed by the following vote:

Ayes . . . . .	35
Noes . . . . .	42
Present and not voting . . . . .	2

Representatives voting aye were: Anderson, Atchley, Buck, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Disspayne, Elsea, Frensley, Gafford, Harrill, Henry, Hudson, Hurley, Jared, Kelley, Kent, Montgomery, Moore (Sullivan), Percy, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Washington), Smith, Turner (Shelby), Wallace, Wheeler, Whitson, Williams, Wix, Yelton and Mr. Speaker McWherter--35.

Representatives voting no were: Bell, Bewley, Bivens, Bragg, Byrd, Chiles, Cobb, Davis (Gibson), DeBerry, Dixon, Duer, Ellis, Ford, Gaia, Gill, Hillis, Johnson, Jones, Kernell, King (Shelby), Kisber, Love, McKinney, McNally, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Phillips, Pickering, Robinson (Hamilton), Scruggs, Severance, Shirley, Sir, Stallings, Tanner, Webb, Wood and Work--42.

Representatives present and not voting were: Miller and Owen --2.

Mr. McKinney moved to amend as follows:

**AMENDMENT NO. 7**

Amend Senate Bill No. 2171 by deleting all sections that pertain to special plates and further state that there shall be only one style license plate as determined by the Department of Revenue for all motor vehicles. The charge for said plate shall be \$19.50 per year.

Mr. Gafford moved that the Amendment No. 7 be tabled, which motion prevailed by the following vote:

Ayes . . . . .	49
Noes . . . . .	31
Present and not voting . . . . .	3

Representatives voting aye were: Anderson, Atchley, Bivens, Buck, Byrd, Chiles, Clark (Sumner), Covington, Crain, Davis (Gibson), Davis (Pickett), Dills, Dixon, Duer, Frensley, Gafford, Gill, Henry, Hurley, Jared, Johnson, Jones, Kent, King (Shelby), McNally, Montgomery, Moore (Shelby), Moore (Sullivan), Naifeh, Percy, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Tanner, Turner (Hamilton), Ussery, Wheeler, Williams, Wix and Yelton--49.

Representatives voting no were: Bell, Bewley, Bragg, Clark (Davidson), Cobb, Davidson, DeBerry, Disspayne, Ellis, Ford, Gaia, Harrill, Hillis, Hudson, Kelley, Kisber, Love, McKinney, Miller, Moody, Murphy, Murray, Nance, Phillips, Pruitt, Turner (Shelby), Wallace, Webb, Whitson, Wolfe and Wood--31.

Representative present and not voting was: Kernell, Owen and Work--3.

On motion, Senate Bill No. 2171 was moved down on the Calendar.

House Bill No. 2078--To impose sales tax, chartering of aircraft.

Mr. Cobb moved that House Bill No. 2078 be passed on third and final consideration.

Mr. McKinney moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 2078 by deleting in its entirety the amendatory language of Section 1 and by substituting instead the following:

( ) If the owner of the property maintains continuous supervision over the personal property being rented or leased, and furnishes an operator or crew to operate such property, he is rendering a service, and the same is not subject to Sales or Use Tax. On the other hand, if the owner does not furnish the crew or operator, but merely rents the property, and the lessee operates it himself for a stated consideration or price, either by the day or week or month, in such case, the Sales or Use Tax would apply as the lessee has the possession, use and control of the property. If the owner of the property furnishes flight training, he is rendering a service, and the property used therein shall not be subject to Sales or Use Tax.

On motion, the amendment was adopted.

Thereupon, House Bill No. 2078, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	84
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Hudson, Hurley, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), Kisber, Love, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Tanner, Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--84.

A motion to reconsider was tabled.

Mr. Dills moved that House Bills Nos. 1440, 1441 and 2081 be placed on the Calendar for Monday, May 14, 1984, which motion prevailed.

Mr. Dixon moved that House Bill No. 1392 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

House Bill No. 2175--To expand definition, premier type tourist resort.

On motion, House Bill No. 2175 was made to conform with Senate Bill No. 2146.

On motion, Senate Bill No. 2146, on same subject, was substituted for House Bill No. 2175.

Ms. Duer moved that Senate Bill No. 2146 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	67
Noes . . . . .	11
Present and not voting . . . . .	3

Representatives voting aye were: Anderson, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Chiles, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, Disspayne, Dixon, Duer, Ellis, Elsea, Frensley, Gafford, Gaia, Gill, Henry, Hillis, Hudson, Jared, Johnson, Jones, Kelley, Kent, Kernell, Kisber, Love, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Owen, Percy,

Phillips, Pickering, Pruitt, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Sir, Smith, Stallings, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams and Yelton--67.

Representatives voting no were: Atchley, Byrd, Ford, Harrill, Hurley, McAfee, Shirley, Turner (Shelby), Wolfe, Wood and Work--11.

Representative present and not voting was: Dills, Nance and Rhinehart--3.

A motion to reconsider was tabled.

In accordance with Rule No. 42, Mr. Robinson (Hamilton) was added as sponsor of House Bill No. 1568.

House Bill No. 1568--To place control of county workhouse under county executive.

On motion, House Bill No. 1568 was made to conform with Senate Bill No. 1719.

On motion, Senate Bill No. 1719, on same subject, was substituted for House Bill No. 1568.

Mr. Robinson (Hamilton) moved that Senate Bill No. 1719 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1719 by inserting the following language at the end of the amendatory language of subsection (h) of Section 1:

The provisions of this act shall not apply in any county having a population of not less than three hundred nineteen thousand six hundred twenty-five (319,625) nor more than three hundred nineteen thousand seven hundred twenty-five (319,725), according to the 1980 federal census of population or any subsequent federal census.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1719, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	84
Noes . . . . .	0
Present and not voting . . . . .	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis

(Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood and Yelton--84.

Representative present and not voting was: Work--1.

A motion to reconsider was tabled.

House Bill No. 1567--To amend Sections 5-1-204, Code.

On motion, House Bill No. 1567 was made to conform with Senate Bill No. 1715.

On motion, Senate Bill No. 1715, on same subject, was substituted for House Bill No. 1567.

Mr. Robinson (Hamilton) moved that Senate Bill No. 1715 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	81
Noes . . . . .	5

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), Kisber, Love, McKinney, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Tanner, Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Work and Yelton--81.

Representatives voting no were: Copeland, McAfee, McNally, Turner (Hamilton) and Wood--5.

A motion to reconsider was tabled.

# FURTHER CONSIDERATION OF SENATE BILL NO. 2171

Senate Bill No. 2171--To regulate issuance, special license plates.

Mr. Johnson moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 2171 in Section 55-4-202(c)(4) of Section 1 by adding an additional item, as follows:

(J) Sergeants-at-arms of either house of the General Assembly.

Mr. Johnson moved to amend Amendment No. 6 as follows:

AMENDMENT NO. 1 TO AMENDMENT NO. 6

Amend by adding the following language at the end of amendatory Section 55-4-202(c)(4)(J) the following:

The design of such plates shall be as provided in Section 55-4-225(b). Any applicant for a plate issued under this subdivision (4)(J) shall be accompanied by a letter from the appropriate Speaker indicating that the applicant is eligible for a plate as provided by this subdivision (4)(J). The plate shall contain the designation "Sergeant-at-arms".

On motion, Amendment No. 1 to Amendment No. 6 was adopted.

Thereupon, Amendment No. 6, as amended, was adopted.

Mr. McKinney moved to amend as follows:

AMENDMENT NO. 8

Amend Senate Bill No. 2171 by adding a new section which shall read as follows:

There shall be a special plate for former members of the General Assembly under the same provisions provided under this act for active members of the General Assembly

On motion, the amendment was adopted.

Mr. Rhinehart moved the previous question, which motion prevailed.

Thereupon, Senate Bill No. 2171, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	81
Noes . . . . .	9

Representatives voting aye were: Anderson, Atchley, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis

(Pickett), DePriest, Dills, Disspayne, Dixon, Duer, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), Kisber, Love, McAfee, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Tanner, Turner (Hamilton), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--81.

Representatives voting no were: Bell, Cobb, DeBerry, Ellis, McKinney, Moody, Nance, Turner (Shelby) and Withers--9.

A motion to reconsider was tabled.

House Bill No. 2153--To provide discount for senior citizens, state parks camping.

Mr. Yelton moved that House Bill No. 2153 be passed on third and final consideration.

Mr. Hillis moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 2153 by deleting Section 1 in its entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 11-3-116, is amended by deleting in the first sentence the words "bona fide residents of Tennessee" and by substituting instead the word "persons".

Tennessee Code Annotated, Section 11-3-116, is further amended by deleting in the second sentence the words "residence and".

Ms. Gaia moved the previous question, which motion failed by the following vote:

Ayes . . . . .	55
Noes . . . . .	24
Present and not voting . . . . .	1

Representatives voting aye were: Anderson, Atchley, Bewley, Bivens, Buck, Byrd, Clark (Davidson), Clark (Sumner), Covington, Crain, Davis (Gibson), Davis (Pickett), DeBerry, Dills, Disspayne, Dixon, Duer, Ellis, Gafford, Gaia, Gill, Harrill, Hillis, Hurley, Jones, Kelley, Kent, Kernell, King (Shelby), Kisber, Love, Moore (Shelby), Moore (Sullivan), Naifeh, Nance, Owen, Percy, Phillips, Pickering, Pruitt, Robinson (Hamilton), Severance, Shirley, Sir, Stallings, Turner (Shelby), Ussery, Wallace, Webb, Whitson, Williams, Withers, Wix, Wolfe and Yelton--55.

Representatives voting no were: Bell, Bragg, Chiles, Davidson, Elsea, Frensley, Henry, Hudson, Jared, McNally, Montgomery, Moody, Murphy, Murray, Napier, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Tanner, Wheeler, Wood and Work--24.

Representative present and not voting was: Miller--1.

Amendment No. 1 was adopted by the following vote:

Ayes . . . . .	66
Noes . . . . .	18

Representatives voting aye were: Anderson, Atchley, Bivens, Buck, Byrd, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Frensley, Gafford, Gaia, Gill, Harrill, Hillis, Hurley, Jared, Johnson, Jones, Kelley, Kent, King (Shelby), Kisber, Love, McNally, Miller, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Robinson (Hamilton), Severance, Shirley, Sir, Stallings, Tanner, Turner (Shelby), Ussery, Wallace, Webb, Whitson, Williams, Withers, Wix, Wolfe, Work and Yelton--66.

Representatives voting no were: Bell, Bewley, Bragg, Chiles, Copeland, Elsea, Henry, Hudson, McAfee, Montgomery, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Smith, Turner (Hamilton) and Wood--18.

Mr. McKinney moved that House bill No. 2153 be re-referred to the Committee on Conservation and Environment, which motion prevailed.

House Bill No. 1603--To provide funds, family violence shelters.

Ms. Williams moved that House Bill No. 1603 be passed on third and final consideration.

Ms. Williams moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 1603 by deleting everything following the enacting clause and substituting instead the following:

SECTION 1. There is hereby established in the department of human services a program for the establishment and funding of family violence shelters and shelter services and child abuse prevention services. Funding for such program shall be limited to the amounts provided in the annual appropriations act.

SECTION 2. As used in this act, unless the context requires otherwise:

(a) "Family-violence" means causing or attempting to cause bodily injury to a family or household member or placing a family or household member in fear of imminent physical harm by threat of force, regardless of age or mental functioning.

(b) "Family or household member" means those persons related by blood, marriage or adoption or in the custody of such a person under a valid court order.

(c) "Shelter" means a place where family violence victims and their children can seek temporary refuge twenty-four (24) hours a day and seven (7) days a week, including a program which develops and manages a system under which private homes or commercial lodgings are used as refuge for family violence victims and their children.

(d) "Shelter services" means counseling for family violence victims, counseling for perpetrators, advocacy for family violence victims, referral of family violence victims to other community resources, community education regarding prevention of family violence and rehabilitation of perpetrators.

(e) "Child abuse prevention services" means those services designed to prevent the occurrence of child abuse and neglect. They may include, but are not limited to:

(1) Services relating to prevention of child abuse, such as counseling, self-help groups, hot lines and other related services; and

(2) Community and direct education services on child abuse awareness and prevention and related topics, such as parenting, coping with family stress, child development and prenatal care.

**SECTION 3.** In administering this program, the department of human services:

(a) Shall divide all funds received under this act equally, with fifty percent (50%) of the funds to be allocated to family violence shelters and shelter services and fifty percent (50%) to be allocated to child abuse prevention services;

(b) Shall, in disbursing funds received under this act to child abuse prevention services, give priority, where possible, to services for those children at risk because they reside in households where family violence occurs;

(c) In order to assure that funds are distributed statewide, shall not disburse more than fifty thousand

dollars (\$50,000) from state funds provided under this act to any one (1) shelter or shelter service in one (1) fiscal year, and shall not disburse more than fifty thousand dollars (\$50,000) from state funds provided under this act to any one (1) child abuse prevention service in one (1) fiscal year;

(d) Shall accept federal funds that may be available for use in carrying out the provisions of this act and may use state funds, in addition to funds generated under this act, as matching funds for federal funds if matching funds are required.

(e) Shall assure, to the extent feasible, that any funds allocated under this act shall be used to provide services in addition to those already provided by the department of human services;

(f) May expend only those actual amounts reasonably necessary for administration of the funds provided under this act;

(g) Shall promulgate rules and regulations in accordance with Tennessee Code Annotated, Title 4, Chapter 5, necessary to carry out the purposes of the act and shall, upon recommendation of the advisory committee, establish standards for operation of the services, including establishment of a timetable for application and disbursement of funds;

(h) Shall require an annual report from each service funded which shall include, in addition to all information required by the department of human services, statistics on the number of persons requesting service, the number of persons served the type of service rendered and a description of the social and economic characteristics of the person served and the number and type of referrals, including medical, legal and education services, made to other community resources. No information contained in the report shall identify any person served or enable any person to determine the identity of such a person;

(i) Shall in accordance with Tennessee Code Annotated, Section 14-1-110 establish an eight (8) person advisory committee, which shall review all program criteria adopted by the department and advise the commissioner relative to the allocation of funds under the act. The committee shall consist of at least two (2) persons knowledgeable and experienced in child abuse prevention and one (1) former client of the child abuse prevention service, two (2) persons knowledgeable and experienced in family violence and one (1) former client of the family violence shelter. The committee members shall be selected for staggered four (4)

year terms and may succeed themselves. Such advisory committee may be made a subcommittee of the Social Services Advisory Committee. Such committee shall be subject to review under the governmental entity review law.

**SECTION 4.** To receive funds under this act, organizations shall:

(a) Be incorporated as a not-for-profit corporation, and be tax-exempt under Section 501 of the Internal Revenue Code;

(b) Comply with Tennessee Code Annotated, Sections 37-1203 and 14-25-103 by reporting cases of suspected abuse to the department of human services.

**SECTION 5.** To receive funds under this act for family violence shelter services and/or shelters, all applicants shall show that they have provided shelter services for at least six (6) months prior to the application for funds under this act, and that the funds provided under this act will enable them to establish or maintain a shelter for victims of family violence within a defined timetable, in addition to any other services provided as described in the standards promulgated under Section 3(g) of this act.

**SECTION 6.** To receive funds under this act for child abuse prevention services, all applicants shall show that the funds provided under this act will enable them to provide some of the following services:

- 1) counseling for the prevention of child abuse;
- 2) child abuse prevention self-help groups;
- 3) child abuse prevention hot lines;
- 4) community and direct education services on child abuse awareness; and
- 5) prevention and related topics, such as parenting, coping with family stress, child development and prenatal care.

**SECTION 7.** It is the legislative intent that in providing services to family violence victims that shelter services be provided to male children twelve (12) to eighteen (18) years of age to the maximum extent feasible.

**SECTION 8.** This act shall take effect July 1, 1984, the public welfare requiring it.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1603, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	83
Noes . . . . .	3

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Sir, Smith, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wolfe, Wood and Work--83.

Representatives voting no were: Crain, Severance and Shirley--3.

A motion to reconsider was tabled.

House Bill No. 1868--To regulate receipt and disbursement, legend drugs.

On motion, House Bill No. 1868 was made to conform with Senate Bill No. 1427.

On motion, Senate Bill No. 1427, on same subject, was substituted for House Bill No. 1868.

Mr. Crain moved that Senate Bill No. 1427 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	84
Noes . . . . .	0
Present and not voting . . . . .	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, King (Shelby), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--84.

Representative present and not voting was: Disspayne--1.

A motion to reconsider was tabled.

House Bill No. 1118--To reapportion state senatorial districts.

On motion, House Bill No. 1118 was made to conform with Senate Bill No. 561.

On motion, Senate Bill No. 561, on same subject, was substituted for House Bill No. 1118.

Mr. Murphy moved that Senate Bill No. 561 be passed on third and final consideration.

Thereupon, Senate Bill No. 561, as amended, failed to receive a constitutional majority by the following vote:

Ayes . . . . .	48
Noes . . . . .	35
Present and not voting . . . . .	2

Representatives voting aye were: Bell, Bivens, Bragg, Brewer, Buck, Copeland, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Ellis, Gaia, Gill, Hillis, Jared, Johnson, Jones, Kernell, King (Shelby), Kisber, McAfee, McKinney, Miller, Moody, Moore (Sullivan), Murphy, Murray, Owen, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Shirley, Stallings, Tanner, Turner (Hamilton), Ussery, Wallace, Wheeler, Wix, Wolfe, Wood, Work and Mr. Speaker McWherter--48.

Representatives voting no were: Anderson, Bewley, Byrd, Chiles, Clark (Davidson), Cobb, Covington, Crain, Duer, Elsea, Ford, Gafford, Harrill, Henry, Hudson, Hurley, Kelley, Kent, Love, McNally, Montgomery, Moore (Shelby), Naifeh, Nance, Napier, Percy, Robinson (Washington), Scruggs, Severance, Sir, Smith, Turner (Shelby), Whitson, Williams and Withers--35.

Representatives present and not voting were: Atchley and Frensley--2.

Mr. Rhinehart, having voted with the prevailing side, moved that the House reconsider its action in failing to pass Senate Bill No. 561 on third and final consideration.

Mr. McKinney moved the previous question on the motion to reconsider.

# RECESS

Mr. McKinney moved that the House stand in recess for 1 hour and 15 minutes, which motion prevailed.

The recess having expired, the House was called to order by Mr. Speaker McWherter.

On motion, the roll call was dispensed with.

Mr. Speaker McWherter resumed the Chair.

Thereupon, the previous question on the motion to reconsider prevailed.

Thereupon, Mr. Rhinehart's to reconsider action on Senate Bill No. 561 prevailed.

Thereupon, Senate Bill No. 561, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	57
Noes . . . . .	30
Present and not voting . . . . .	1

Representatives voting aye were: Bell, Bivens, Bragg, Brewer, Buck, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Ellis, Gaia, Gill, Hillis, Jared, Johnson, Jones, Kernell, King (Shelby), King (Washington), Kisber, McAfee, McKinney, Miller, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Shirley, Stallings, Tanner, Turner (Hamilton), Ussery, Wheeler, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--57.

Representatives voting no were: Anderson, Atchley, Bewley, Byrd, Chiles, Cobb, Duer, Elsea, Ford, Gafford, Harrill, Henry, Hudson, Hurley, Kelley, Kent, Love, McNally, Montgomery, Moody, Moore (Shelby), Percy, Robinson (Washington), Scruggs, Severance, Sir, Smith, Turner (Shelby), Wallace and Whitson--30.

Representative present and not voting was: Frensley--1.

A motion to reconsider was tabled.

Mr. Naifeh moved that the rules be suspended for the purpose of introducing House Resolution No. 136 out of order, which motion prevailed.

House Resolution No. 136--Relative to recalling House Bill No. 1955 from Governor--By Naifeh, Henry and Rhinehart.

Mr. Naifeh moved that the rules be suspended for the immediate consideration for House Resolution No. 136, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution No. 136; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Resolution No. 136.

Mr. Johnson moved that the rules be suspended in order that House Bill No. 2146 be referred to the Government Operations Committee for study, which motion prevailed.

Mr. Johnson moved that the rules be suspended in order that House Bill No. 2146 can be placed on the Calendar for Wednesday, May 16, 1984, which motion prevailed.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

House Bill No. 2210--To provide uniform liability insurance, certain education employees.

Ms. Duer moved that House Bill No. 2210 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	84
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--84.

A motion to reconsider was tabled.

House Bill No. 1643--To make certain provisions, inheritance taxes.

Mr. Cobb moved that House Bill No. 1643 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 1643 by deleting the words and punctuation "and there shall be allowed against the net estate a maximum single exemption of ten thousand" in Section 1 and substituting instead the words and punctuation "and there shall be allowed against the net estate a maximum single exemption of ten thousand dollars".

is further amended by deleting Sections 3 and 4 and redesignating Section 5 as Section 3.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1643, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	86
Noes . . . . .	2

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Henry, Hillis, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Pickering, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --86.

Representatives voting no were: Chiles and Robertson-2.

A motion to reconsider was tabled.

House Bill No. 1519--To amend Section 70-5-111, Code.

On motion, House Bill No. 1519 was made to conform with Senate Bill No. 1475.

On motion, Senate Bill No. 1475, on same subject, was substituted for House Bill No. 1519.

Mr. Tanner moved that Senate Bill No. 1475 be passed on third and final consideration.

Mr. Hillis moved to amend as follows:

**AMENDMENT NO. 1**

Amend Senate Bill No. 1475 be amended by inserting a new SECTION 1 and renumbering the existing sections accordingly.

SECTION 1. That Tennessee Code Annotated, Section 70-5-111 (a)(1), be amended by deleting from said subsection the "commissioner of conservation" and substituting in lieu thereof the words "executive director".

On motion, the amendment was adopted.

Thereupon, House Bill No. 1475, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	90
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--90.

A motion to reconsider was tabled.

House Bill No. 1698--To make certain provisions, liquefied gas.

On motion, House Bill No. 1698 was made to conform with Senate Bill No. 1561.

On motion, Senate Bill No. 1561, on same subject, was substituted for House Bill No. 1698.

Mr. Tanner moved that Senate Bill No. 1561 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . . 89  
Noes . . . . . 0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--89.

A motion to reconsider was tabled.

House Bill No. 2108--To establish refund, overpayment of taxes.

Mr. Tanner moved that House Bill No. 2108 be passed on third and final consideration.

Mr. Tanner moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 2108 by deleting all of the language following the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-1-707, is amended by deleting the first sentence of Subsection (a) and substituting instead the following:

In the event a taxpayer voluntarily pays an excessive, erroneous, or improper amount of taxes, the commissioner of revenue with the approval of the attorney general, except as to refunds of amounts as specified in subsection (c), is empowered and directed to refund all such overpayments of taxes without regard to whether such overpayments were made due to a mistake of fact or law.

SECTION 2. Tennessee Code Annotated, Section 67-1-707(a)(3) is hereby repealed.

SECTION 3. Tennessee Code Annotated, Section 67-1-707, is amended to add a new Subsection (d):

(d) All actions of the commissioner of revenue or the attorney general in denying such claims for refund submitted pursuant to this statute shall be reviewable by the courts

in the same manner as if brought pursuant to part 9 of this chapter, provided an action is filed within six (6) months of the date of the denial of the refund. This subsection shall take precedence over all other statutes, or portions of this statute, to the contrary.

**SECTION 4.** Tennessee Code Annotated, Section 67-8-416, is amended by substituting for the language thereof the following:

Except as otherwise provided herein, refunds of any erroneous payment of inheritance tax shall be made as provided by Section 67-1-707. Provided, however, that, if a taxpayer is a party to litigation, the outcome of which affects the taxpayer's tax liability, a claim for refund may be properly filed within sixty (60) days from the date of final adjudication in such litigation, notwithstanding the fact that the period of limitations set out at Section 67-1-707 (a) (1) may have expired.

**SECTION 5.** This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply only to claims for refund initially filed on or after the effective date of this act.

On motion, the amendment was adopted.

Thereupon, House Bill No. 2108, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	85
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Tanner, Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--85.

A motion to reconsider was tabled.

House Bill No. 2005--To regulate production of oil and gas.

On motion, House Bill No. 2005 was made to conform with Senate Bill No. 2024.

On motion, Senate Bill No. 2024, on same subject, was substituted for House Bill No. 2005.

Mr. Smith moved that Senate Bill No. 2024 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	89
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--89.

A motion to reconsider was tabled.

Mr. King (Shelby) moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 528 out of order, which motion prevailed.

House Joint Resolution No. 528--Relative to honoring Walter P. Armstrong, Jr.--By Brewer and King (Shelby).

Mr. King (Shelby) moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 528, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

Mr. King (Shelby) moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 190 out of order, which motion failed by the following vote:

Ayes . . . . .	64
Noes . . . . .	19
Present and not voting . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bivens, Bragg, Brewer, Buck, Chiles, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Disspayne, Ellis, Ford, Gafford, Gaia, Gill, Hillis, Hurley, Jared,

Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), Kisber, McKinney, Miller, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sir, Stallings, Tanner, Turner (Hamilton), Ussery, Wallace, Wheeler, Williams, Withers, Wix, Work, Yelton and Mr. Speaker McWherter--64.

Representatives voting no were: Bewley, Copeland, Duer, Elsea, Frensley, Harrill, Henry, McAfee, McNally, Montgomery, Moody, Robertson, Scruggs, Smith, Turner (Shelby), Webb, Whitson, Wolfe and Wood--19.

House Bill No. 769--To amend Title 55, Chapter 9, Code.

Mr. Johnson moved that House Bill No. 769 be passed on third and final consideration.

Mr. Robinson (Davidson) moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 769 by deleting Sections 1 and 2 in their entirety and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-9-301, is repealed.

SECTION 2. Tennessee Code Annotated, Section 55-9-304, is amended by deleting the section in its entirety and substituting instead the following:

Section 55-9-304. Every motorcycle or motor driven cycle operated upon any highway or public road of this state shall be equipped with a windshield, or, in the alternative, the operator and any passenger on any such motorcycle or motor driven cycle shall be required to wear safety goggles or glasses containing impact resistant lenses.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, the amendment was adopted.

Mr. Johnson moved to amend as follows:

**AMENDMENT NO. 2**

Amend House Bill No. 769 by inserting in the amendatory language of Section 2, as amended, the word and punctuation ",faceshields," between the word "goggles" and "or glasses".

On motion, the amendment was adopted.

Thereupon, House Bill No. 769, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	55
Noes . . . . .	30
Present and not voting . . . . .	2

Representatives voting aye were: Bell, Bivens, Buck, Chiles, Clark (Davidson), Clark (Sumner), Covington, Davidson, Davis (Gibson), DePriest, Dills, Ellis, Frensley, Gafford, Gill, Harrill, Henry, Hillis, Hurley, Jared, Johnson, Kelley, King (Shelby), King (Washington), Kisber, Love, McKinney, Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Sir, Smith, Stallings, Tanner, Ussery, Wallace, Wheeler, Whitson, Withers, Wix, Wolfe, Work, Yelton and Mr. Speaker McWherter--55.

Representatives voting no were: Anderson, Atchley, Bewley, Bragg, Brewer, Byrd, Copeland, Crain, DeBerry, Dispayne, Duer, Elsea, Ford, Gaia, Hudson, Jones, Kent, Kernell, McAfee, McNally, Montgomery, Moody, Moore (Shelby), Nance, Scruggs, Shirley, Turner (Shelby), Webb, Williams and Wood--30.

Representatives present and not voting were: Miller and Owen--2.

A motion to reconsider was tabled.

House Bill No. 2144--To make certain provisions, motor vehicle warranties.

On motion, House Bill No. 2144 was made to conform with Senate Bill No. 2124.

On motion, Senate Bill No. 2124, on same subject, was substituted for House Bill No. 2144.

Mr. McKinney moved that Senate Bill No. 2124 be passed on third and final consideration.

Mr. Robinson (Davidson) moved to amend as follows:

**AMENDMENT NO. 1**

Amend Senate Bill No. 2124 in Section 3 by adding an additional sentence at the end thereof, as follows:

A consumer may also recover any attorneys' fees incurred in pursuing a recovery under the provisions of this act, up to but not to exceed, twenty percent (20%) of the amount of recovery.

On motion, the amendment was adopted.

Mr. Robinson (Davidson) moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 2124 by redesignating Section 8 to be Section 9 and adding a new Section 8, as follows:

SECTION 8. The provisions of this act shall apply to motor vehicles manufactured in the 1984 model year or any subsequent model year, and sold and titled after the beginning of the 1984 model year.

On motion, the amendment was adopted.

Mr. Cobb moved to amend as follows:

Mr. Cobb moved to amend as follows:

AMENDMENT NO. 3

Amend Senate Bill No. 2124 by deleting from Section 7 the words "whichever is the earlier date" and by substituting instead the following:

"whichever is the later date"

On motion, the amendment was adopted.

Mr. Cobb moved to amend as follows:

AMENDMENT NO. 4

Amend Senate Bill No. 2124 by deleting SECTION 5 in its entirety and renumbering subsequent sections accordingly.

Mr. McKinney moved that Amendment No. 4 be tabled, which motion failed by the following vote:

Ayes . . . . .	36
Noes . . . . .	45
Present and not voting . . . . .	2

Representatives voting aye were: Bell, Bewley, Davidson, Davis (Gibson), DeBerry, Ellis, Gafford, Gill, Hillis, Jared, Kisber, McKinney, Miller, Moore (Shelby), Moore (Sullivan), Murray, Naifeh, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Scruggs, Sir, Smith, Stallings, Tanner, Turner (Hamilton), Wallace, Webb, Wheeler, Wix, Wolfe, Work and Mr. Speaker McWherter--36.

Representatives voting no were: Anderson, Atchley, Bivens, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Dixon, Duer, Elsea, Ford, Frensey, Gaia, Harrill,

**THURSDAY, MAY 10, 1984--73rd LEGISLATIVE DAY**

Hudson, Hurley, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), McAfee, McNally, Montgomery, Moody, Murphy, Nance, Robinson (Davidson), Robinson (Washington), Severance, Shirley, Turner (Shelby), Ussery, Whitson, Williams, Withers, Wood and Yelton--45.

Representatives present and not voting were: Bragg and Robinson (Hamilton)--2.

Thereupon, Amendment No. 4 was adopted.

Mr. McKinney moved that Senate Bill No. 2124 be placed on the Calendar for Monday, May 14, 1984, which motion prevailed.

**CONSENT CALENDAR**

House Bill No. 2154--To provide for use of computer printouts, certain court records.

On motion, House Bill No. 2154 was made to conform with Senate Bill No. 2053.

On motion, Senate Bill No. 2053, on same subject, was substituted for House Bill No. 2154.

House Bill No. 1764--To provide for preservation of historic cemeteries.

On motion, House Bill No. 1764 was made to conform with Senate Bill No. 1740.

On motion, Senate Bill No. 1740, on same subject, was substituted for House Bill No. 1764.

House Bill No. 2258--To regulate sale of red fox hides, certain counties.

On motion, House Bill No. 2258 was made to conform with Senate Bill No. 2221.

On motion, Senate Bill No. 2221, on same subject, was substituted for House Bill No. 2258.

House Joint Resolution No. 265--Relative to urging TVA to implement policies to enhance economy.

House Joint Resolution No. 271--Relative to calling for Water Quality Control Board to establish certain criteria.

House Joint Resolution No. 507--Relative to honoring Smyrna Elementary West School.

House Joint Resolution No. 508--Relative to memory, Reverend Miland Filmore Strunk.

House Joint Resolution No. 509--Relative to memory, Roscoe Dixon, Sr..

House Joint Resolution No. 510--Relative to honoring the Bartlett High School Chamber Singers.

House Joint Resolution No. 511--Relative to commending Bobbie Bates Crowder.

House Bill No. 2281--To regulate election of Alderman, Petersburg.

House Bill No. 2284--To prohibit non-residents from disposing of trash in Greene County.

House Bill No. 2285--To regulate registration of warrants certain counties.

On motion, House Bill No. 2285 was made to conform with Senate Bill No. 2250.

On motion, Senate Bill No. 2250, on same subject, was substituted for House Bill No. 2285.

House Bill No. 2286--To make provisions, solid waste disposal, Crockett County.

Mr. Gill moved that all House and Senate Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions on the Consent Calendar be adopted, which motion prevailed by the following vote:

Ayes . . . . .	89
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Smith, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--89.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 1401--To provide for traffic citation in lieu of arrest, certain cases.

SENATE AMENDMENT NO. 1

Amend House Bill No. 1401 by changing the word "may" in subsection (a) of Section 1 to "shall".

AND FURTHER AMEND in Section 1 by deleting the period at the end of subsection (a) and adding the following:

, except as provided in subsection (f).

AND FURTHER AMEND in Section 1 by adding to subsection (f) the following:

The provisions of this section shall not supersede the provisions of Tennessee Code Annotated, Section 40-7-118, nor shall they require the use of a traffic citation in lieu of arrest in any of the circumstances specified in subsection (c) of Section 40-7-118.

Mr. Kent moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes . . . . .	88
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Smith, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--88.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 1641--To make certain provisions, tax liens.

SENATE AMENDMENT NO. 1

Amend House Bill No. 1641 by substituting for the amendatory language of Section 1, the following:

(5) vendors' liens on real estate provided for in Chapter 10 of Title 66 which are recorded prior to the recordation of notice of the state lien.

and further amend by substituting for Section 2 and 3 thereof, the following:

SECTION 2. This act shall take effect July 1, 1984, the public welfare requiring it and shall apply to all vendors' liens recorded on or after March 27, 1978.

Mr. Buck moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes . . . . .	85
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Disspayne, Dixon, Ellis, Elsea, Ford, Frensley, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Smith, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --85.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 1813--To make certain provisions, water wells.

SENATE AMENDMENT NO. 1

Amend House Bill No. 1813 by deleting from Section 3 the following words:

"And is further amended by deleting the last sentence of subsection (b) in its entirety".

and substituting in lieu thereof the following sentence:

"And is further amended by deleting from the last sentence of subsection (b) the words ', except those conducted by the Tennessee Department of Public Health.' and by placing a period following the word Tennessee where it first occurs in that sentence."

Mr. McNally moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes . . . . . 84  
Noes . . . . . 0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Smith, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--84.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 2057--To regulate record keeping, motor vehicle division.

SENATE AMENDMENT NO. 1

Amend House Bill No. 2057 by redesignating Section 2 to be Section 3 and adding a new Section 2 as follows:

SECTION 2. The provisions of this act shall not apply to records of license revocations or suspensions.

Mr. Dixon moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes . . . . . 86  
Noes . . . . . 0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent,

Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Smith, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--86.

A motion to reconsider was tabled.

**REPORT OF THE CONFERENCE COMMITTEE ON SENATE BILL NO. 302**

The House and Senate Conference Committees appointed pursuant to motions to resolve differences between the two houses on Senate Bill No. 302/House Bill No. 529 have met and recommend that Senate amendment #2 be adopted; that Senate amendment #1 and House amendment #1 be deleted; and that the bill be further amended by deleting the present Section 13 and substituting instead the following:

**SECTION 13.** Tennessee Code Annotated, Section 40-24-107, is amended by deleting subsection (a) in its entirety and substituting instead the following:

(a) (1) When any person is convicted by a circuit court or a comparable court of record with jurisdiction over criminal matters of a crime of any nature after the effective date of this act, except those crimes for which the law imposes as a maximum possible punishment a fine of less than five hundred dollars (\$500.00) and no imprisonment, there is levied a privilege tax of twenty-six dollars and fifty cents (\$26.50) in addition to any other costs or fees imposed in such action. Provided, however, if any such person is convicted of a crime against the person, the privilege tax shall be fifty dollars (\$50.00) in addition to any such other costs or fees.

(2) If any person is convicted by a court of general sessions or a comparable court with jurisdiction over criminal matters of a crime of any nature after the effective date of this act, except those crimes for which the law imposes as a maximum possible punishment a fine of less than five hundred dollars (\$500.00) and no imprisonment, there is levied a privilege tax of twenty-six dollars and fifty cents (\$26.50) in addition to any other costs or fees imposed in such action.

Provided, however, if any such person is convicted of a crime against the person, the privilege tax shall be fifty dollars (\$50.00) in addition to any such other costs or fees.

(3) Nothing in this subsection shall be construed as applying to violations of the motor vehicle laws.

(4) Whether a person convicted of a crime is exempted from payment of the tax imposed by this subsection shall be determined by the maximum possible sentence imposed by law for such offense rather than the sentence such person actually receives.

(5) The tax imposed by this subsection shall be collected by the clerks of the various courts from each person convicted and all funds so collected, with the exception of one dollar (\$1.00) which shall be retained by the clerk to defray the expenses of collecting and processing such funds, shall be paid over to the department of revenue for deposit in the fund established by this section.

(6) In addition to all other revenues set forth in this section, all revenue to which the general fund of the State of Tennessee is otherwise entitled from the sale of illegal contraband seized by any law enforcement agency of the state shall be deposited to the criminal injuries compensation fund.

It is further recommended that the bill be amended by adding a new Section to be appropriately numbered and read as follows:

SECTION \_\_\_\_\_. Tennessee Code Annotated, Section 40-24-107, is amended by deleting Subsection (c) in its entirety and by appropriately redesignating the subsequent subsection.

It is further recommended that the bill be amended by deleting Section 14 in its entirety and adding a new Section 14 to read as follows:

SECTION \_\_\_\_\_. Tennessee Code Annotated, Section 40-28-201 (a), is amended by adding a period after the word "rehabilitation" in the first sentence and by deleting the remaining language in the sentence. Section 40-28-201(a) is further amended by designating the amended language as Item 1 and adding a new Item 2 to subsection (a) to read as follows:

(2) The appropriate authority shall make an investigation of the financial and other circumstances of any person who is placed on parole, any person who is granted suspension of sentence and probation by a court of competent jurisdiction or any person who is participating in any program whereby he is permitted in an environment away from the direct, constant, and immediate supervision of the department of correction, whether community based or otherwise, and who is under the supervision of the Tennessee department of corrections or the Tennessee board of paroles and is gainfully employed and shall require such persons to pay thirty dollars (\$30.00) for each month or portion of a month such person remains under the jurisdiction of the appropriate authority, to the criminal injuries compensation fund established in Section 40-24-107, Tennessee Code Annotated, beginning thirty (30) days from the date he is employed. Provided, however, the payment required under this item shall not

exceed ten percent (10%) of the offenders net income. Provided further in cases of hardship as set forth in Section 40-28-202, the appropriate authority may modify the payment required by this item to an appropriate amount given the nature and magnitude of the hardship.

It is further recommended that the bill is amended by deleting Section 40-28-201(b)(2) in its entirety and substituting a new Item 2 as follows:

(2) By prior agreement between an employer and employee, an employer may deduct the amount necessary to satisfy the contributions required pursuant to this section, from the monthly earned income of the parolee, probationer or other employed releasee, and remit such an amount to the appropriate authority by the 5th day of each month.

It is further recommended that the bill be amended by adding a new Section to be appropriately numbered and read as follows:

SECTION \_\_\_\_\_. Tennessee Code Annotated, Section 29-13-109, is amended by deleting subsection (f) in its entirety and substituting instead the following:

(f) All decisions of the court under this chapter shall be in writing and shall set forth the findings of fact, the decision whether compensation is due under this chapter, the amount and manner of compensation, and the person or persons to whom the compensation should be paid. The findings of fact shall include, but not necessarily be limited to: (1) the date and place of the offense; (2) whether the victim contributed to the crime in any respect; (3) the name and address of the offender, if known; (4) whether the claimant has fully cooperated with the police and district attorney general in the investigation and prosecution of the offender; (5) a statement of the crime and injuries suffered; (6) whether the claimant has received or is entitled to receive any benefits, payments or awards from any other sources; (7) if claim is based on the death of the victim, a finding that the claimant or claimants were dependents of the decedent, and (8) the specific findings of the court with respect to all applicable provisions of Sections 29-13-104 through 29-13-107, Tennessee Code Annotated, not otherwise enumerated in this item. The court shall attach to its decision all documentation presented in support of the losses or expenses for which compensation is awarded, as well as an executed subrogation agreement. The clerk of the court shall, within five (5) days of receipt of the order, notify the claimant in writing of the decision and forward to the board of claims a certified copy of the decision. Upon receipt of an order which contains the requisite findings by the court, the board of claims shall, without further authority, and subject to available funds, pay the claimant the amount, and in the manner determined by the court. Such payment shall be made from the fund as set forth in Section 29-13-116, Tennessee Code Annotated.

It is further recommended that Tennessee Code Annotated, Section 29-13-109, be further amended by adding the following new subsections:

(i) The board shall not make payment on any order which does not contain the requisite factual findings or which on its face fails to comply with a clear requirement of the act. Upon receipt of a defective order, the board shall within thirty (30) days notify the claimant and the district attorney general in writing of the defect. The claimant shall have ninety (90) days from the date of the notice to cure the defect, which time may be extended by the board on application of the claimant. If the defect is not cured within the allotted time, the board shall pay any portion of the claim which clearly meets the requirements of the act and upon which the appropriate findings of fact have been made.

(j) This Section shall not be construed as giving the board authority to review findings of fact made by the court. The claimant shall be entitled to judicial review on the record by the Tennessee Court of Appeals, pursuant to Tennessee Rules of Appellant Procedure, of any final decision of the board of claims wholly or partially disallowing a criminal injuries compensation award made by a court.

(k) The board shall not make payment on any order until a subrogation agreement is executed by the claimant to the effect that the criminal injuries compensation fund will be reimbursed to the full amount expended by the fund less an award for attorney's fees should he or she recover damages in a civil action for that injury or death. No part of the recovery due the criminal injuries compensation fund shall be diminished by any collection fees or for any other reason whatsoever.

It is further recommended that the bill be amended by adding an additional new section to be appropriately numbered and read as follows:

**SECTION \_\_\_\_.** Tennessee Code Annotated, Section 29-13-106(e) by deleting the words and numbers "ten thousand dollars (\$10,000)" and substituting the words and figures "five thousand dollars (\$5,000)".

It is further recommended that the bill be amended by adding a new Section to be appropriately numbered and to read as follows:

**SECTION \_\_\_\_.** Tennessee Code Annotated, Section 29-13-113 is amended by deleting subsection (d) in its entirety and substituting a new subsection (d) as follows:

(d) Should any person receiving an award for criminal injuries compensation choose to exercise his or her right to recover damages in civil court for injury or death, he or she shall notify the district attorney general and the board of claims of the institution of such a lawsuit by serving the district attorney general and the board of claims through the United

States Mail with a copy of the complaint, all subsequent pleadings and a copy of the final judgement in order to give the state notice of the existence of such an action so that the state may pursue its subrogated interest.

It is further recommended that the bill be amended by deleting Section 16 and substituting instead the following:

**SECTION 16.** This act shall take effect upon July 1, 1984, the public welfare requiring it.

**FOR THE SENATE**

Senator Douglas Henry  
Senator William H. Ortwein  
Senator Ben Longley

**FOR THE HOUSE**

Representative Steve Cobb  
Representative Mike Murphy  
Representative David Copeland

Mr. Cobb moved that the Report of the Conference Committee on Senate Bill No. 302 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes . . . . .	84
Noes . . . . .	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Smith, Stallings, Tanner, Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--84.

Representative voting no was: Robertson--1.

A motion to reconsider was tabled.

**FURTHER CONSIDERATION OF AMENDED BILL**

Senate Bill No. 1273--To regulate Elk River Development Agency.

Mr. King (Shelby) moved that the House refuse to recede from its action in adopting Amendments Nos. 1 and 2 to Senate Bill No. 1273, which motion prevailed.

**FURTHER CONSIDERATION OF SENATE BILL NO. 2132**

Senate Bill No. 2132--To amend Lobbyists Registration and Disclosure Act.

Mr. Bragg moved that the motion to reconsider Senate Bill No. 2132 be lifted from the table, which motion prevailed.

Mr. Bragg moved that the House reconsider its action in passing Senate Bill No. 2132 on third and final consideration, as amended, which motion prevailed.

Mr. Bragg moved that the House reconsider its action in adopting Amendment No. 1, which motion prevailed.

Mr. Bragg moved that Amendment No. 1 be withdrawn, which motion prevailed.

Thereupon, Senate Bill No. 2132, passed its third and final consideration by the following vote:

Ayes . . . . .	82
Noes . . . . .	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, DeBerry, DePriest, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Percy, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Smith, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wolfe, Wood, Work and Yelton--82.

Representative voting no was: Nance--1.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bill No. 1471, as requested.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**FURTHER CONSIDERATION OF HOUSE BILL NO. 1471**

House Bill No. 1471--To make certain provisions, court minutes.

Mr. Murphy moved that the motion to reconsider House Bill No. 1471 be lifted from the table, which motion prevailed.

Mr. Murphy moved that the House reconsider its action in passing House Bill No. 1471 on third and final consideration, which motion prevailed.

On motion, House Bill No. 1471 was made to conform with Senate Bill No. 1418.

On motion, Senate Bill No. 1418, on same subject, was substituted for House Bill No. 1471.

Mr. Murphy moved that Senate Bill No. 1418 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	87
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Smith, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--87.

**BILLS RE-REFERRED**

On motion of Mr. Robinson (Washington), House Bill No. 2085 was recalled from the Committee on Calendar and Rules.

On motion of Mr. Robinson (Washington), House Bill No. 2085 was re-referred to the Committee on Government Operations.

Mr. Bell moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 527 out of order, which motion prevailed.

House Joint Resolution No. 527--Relative to study, reorganization of Community Action Agencies--By Bell.

Mr. Bell moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 527, which motion prevailed.

Under the rules, House Joint Resolution No. 527 was referred to the Committee on Calendar and Rules.

Mr. Bell moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 531 out of order, which motion prevailed.

House Joint Resolution No. 531--Relative to study, Health Facilities Commission--By Bell.

Mr. Bell moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 531, which motion prevailed.

Under the rules, House Joint Resolution No. 531 was referred to the Committee on Calendar and Rules.

Ms. DeBerry moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 523 out of order, which motion prevailed.

House Joint Resolution No. 523--Relative to Legislative Complex security--By DeBerry.

Ms. DeBerry moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 523, which motion prevailed.

Under the rules, House Joint Resolution No. 523 was referred to the Committee on Calendar and Rules.

### **MOTION TO AMEND HOUSE RULES**

Mr. Speaker,

I move you, sir, that Rule No. 76 of the Rules of Order of the House of Representatives be amended as follows:

by deleting the rules in its entirety and by substituting instead the following:

All general bills introduced after the tenth (10th) legislative day and all resolutions introduced after the thirtieth (30th) legislative day the House convenes for the transaction of business in any regular legislative session shall be referred by the Speaker to the appropriate committee, there to be held for the remainder of the session unless such bill or resolution be called for by a two-thirds majority of the members to which the body is entitled under the Constitution, in which case it shall be placed in the next available position on a calendar for a succeeding day. Should such bill or resolution be recalled from committee in the manner provided above on the final day of a session, it shall then be placed at the foot of the calendar on that day.

The provisions of the preceding paragraph governing bills introduced after the tenth (10th) legislative day and resolutions introduced after the thirtieth (30th) legislative day may be waived with respect to resolutions or to a general bill of local application which has the support of the local delegation adequate to meet the requirements of the local unit rule on file with the Chief Clerk of the House or a bill to correct a typographical error in an earlier bill or an earlier enactment by unanimous consent of the Committee on Delayed Bills composed of the Speaker, the Majority Caucus Chairman and the Minority Leader. After a bill or resolution has received the unanimous consent of the Delayed Bills Committee and has been introduced and has passed second consideration in accordance with the Constitution of the State of Tennessee and with the Rules of Order of the House of Representatives, such bill or resolution shall be referred by the Speaker to the appropriate committee as required by Rule No. 46.

The committee shall meet at the call of the Speaker.

Respectfully submitted,

Representative David Copeland

Representative Elbert Gill

Under the rules, the motion lies over.

#### MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No.:

190--Relative to amendment, Article II, Tennessee Constitution.

The resolution passed three readings in the Senate by a roll call vote in accordance with Article XI, Section 3, Constitution of the State of Tennessee.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

Mr. King (Shelby) moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 190 out of order, which motion prevailed.

Senate Joint Resolution No. 190--Relative to amendment, Article II, Constitution.

Mr. King (Shelby) moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 190, which motion prevailed.

Under the rules, Senate Joint Resolution No. 190 was referred to the Committee on Calendar and Rules.

**SECOND ROLL CALL**

A roll call was taken with the following results:

Present . . . . . 90

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--90.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No.:

236--Relative to honoring Mrs. Martha Rudd; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

100--To regulate custody and deposit, certain county funds;

1569--To regulate financing, service-oriented business concerns;

2074--To enact Tennessee Personnel Recruiting Services Act;

2106--To make certain provisions, domestic public cellular radio telephone service;

2116--To regulate distribution, legislative records, depository libraries;

2151--To regulate expiration, certain agency rules;

2158--To clarify eligibility, release classification status; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bill No.:

2171--To increase charge for debt adjusting, non-profit organizations; substituted for Senate Bill on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE GOVERNOR**

MR. SPEAKER:

I am directed by the Governor to return herewith: House Joint Resolutions Nos. 443, 444 and 453 with his approval.

WILLIAM C. KOCH, JR.,  
Counsel to the Governor.

**MESSAGE FROM THE GOVERNOR**

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bill No. 2267, and House Joint Resolutions Nos. 474 and 482, with his approval.

WILLIAM C. KOCH, JR.,  
Counsel to the Governor.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 2248; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**SIGNED**

The Speaker announced that he had signed the following: House Bill No. 2248.

**INTRODUCTION OF RESOLUTIONS**

House Resolution No. 134--Relative to wishing Pat Farmer a speedy recovery--By Robinson (Davidson), Buck and Yelton.

Under the rules, House Resolution No. 134 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 514--Relative to amending Constitution, maximum rate of income tax--By Drew, Smith, Chiles and Owen.

The Speaker referred House Joint Resolution No. 514 to the Committee on Finance, Ways and Means.

House Joint Resolution No. 515--Relative to study, commodity check-off programs--By DePriest, Pickering, Huskey, Henry, Wolfe and Robinson (Washington).

The Speaker referred House Joint Resolution No. 515 to the Committee on Calendar and Rules.

**SENATE BILL ON FIRST CONSIDERATION**

Senate Bill No. 2195--To amend Retailer's Sales Tax Act.

Passed first consideration.

**HOUSE BILLS ON SECOND CONSIDERATION**

House Bill No. 2288--To regulate School Board, Monroe County--By Harrill.

Passed second consideration and held without reference.

House Bill No. 2289--To amend Charter, Clarksville--By Ussery and Pickering.

Passed second consideration and held without reference.

House Bill No. 2290--To make certain provisions, county government--By Gill.

Passed second consideration and referred to Committee on State and Local Government.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 1397, 1431, 1432, 1490, 1501, 1586, 1616, 1622, 1720, 1726, 1833, 1971, 2104, 2160, 2167 and 2179; also Senate Joint Resolution

No. 221; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**ENROLLED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 1548, 1586, 1620, 1845, 1861, 1979, 2076, 2157 and 2192; House Resolution No. 133; and House Joint Resolution No. 506; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

**SIGNED**

The Speaker announced that he had signed the following: House Bills Nos. 1548, 1586, 1620, 1845, 1861, 1979, 2076, 2157 and 2192; House Resolution No. 133; House Joint Resolution No. 506; Senate Bills Nos. 1397, 1431, 1432, 1490, 1501, 1586, 1616, 1622, 1720, 1726, 1833, 1971, 2104, 2160, 2167 and 2179; Senate Joint Resolution No. 221.

**ENROLLED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 1739, 1785, 1837, 2025, 2069, 2171, 2272, 2277, 2278, 2279 and 2280; and House Joint Resolutions Nos. 267, 269, 471, 473, 475, 476, 478, 479, 481, 484, 486, 487, 488 and 489; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

**SIGNED**

The Speaker announced that he had signed the following: House Bills Nos. 1739, 1785, 1837, 2025, 2069, 2171, 2272, 2277, 2278, 2279 and 2280; and House Joint Resolutions Nos. 267, 269, 471, 473, 475, 476, 478, 479, 481, 484, 486, 487, 488 and 489.

**SPONSORS ADDED**

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 2144--Owen, Love

House Bill No. 2153--Miller

**LOCAL BILLS REFERRED TO CALENDAR AND RULES**

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 1771, 2266, 2282, 2288 and 2289.

**REPORT OF COMMITTEE ON CALENDAR AND RULES**

**CONSENT CALENDAR**

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Monday, May 14, 1984: House Bills Nos. 131, 1623; House Resolution No. 134 and House Bills Nos. 2288, 2289, 1771, 2266 and 2282.

GILL, Chairman.

**REPORT OF COMMITTEE ON CALENDAR AND RULES**

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Monday, May 14, 1984: House Bill No. 1592; Senate Joint Resolution No. 150; House Bills Nos. 1370, 1498, 1896, 2139, 2198, 2129, 2089, 2145, 2055, 25, 2189, 1366, 1765, 1737, 2038; and House Joint Resolutions Nos. 359, 360, 362, 363, 364, 365, 366, 367 and 485.

GILL, Chairman.

**NOTICE PURSUANT TO RULE NO. 57**

Pursuant to Rule No. 57, sponsors gave notice of their intentions to consider the following measures from the Senate on Monday, May 14, 1984:

House Bill No. 1821--Williams

Senate Bill No. 1525--Anderson

Senate Bill No. 1704--Wheeler

Senate Bill No. 1843--Montgomery

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to request the return of Senate Bill

No. 1321, for further consideration.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

On motion of Mr. King (Shelby) Senate Bill No. 1321 was returned to the Senate as requested.

**ENGROSSED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 769, 1603, 1643, 2078, 2108, 2210, 2281, 2284 and 2286; and House Joint Resolutions Nos. 265, 271, 507, 508, 509, 510, 511 and 528; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

On motion of Mr. Naifeh the House adjourned until 4:00 p.m., Monday, May 14, 1984.